

Remarks

This amendment and the following remarks are intended to fully respond to the Office Action mailed May 13, 2010. Therefore, the time period for reply extends up to and includes August 13, 2010. Claims 14, 15, and 17-26 are canceled without prejudice or disclaimer. Claims 1, 3, 6, 8, 9, and 16 are amended. All amendments are supported by the present application as originally filed. Claims 1-13 and 16 remain pending. Reconsideration and allowance of the pending claims are requested for at least the following reasons.

I. Claim Rejections - 35 U.S.C. § 112

Claim 13 is rejected under 35 U.S.C § 112, second paragraph, as being indefinite. *See* Action, § 3. Applicants respectfully traverse this rejection for at least the following reasons.

The Action suggests that “it is not clear whether distance between sources and sensors is 50 mm, or distance between the measurement rig and (light and sensors) is 50 mm”. *See* Action, § 4. However, claim 13 recites “wherein the optical axes of the light sources and sensors intersect approximately 50 mm below the measurement rig.” Thus, claim 13 clearly defines a distance approximately 50mm below the measurement rig at which the optical axis of the light sources and the sensors intersect, not a distance between sources and sensors or a distance between the measurement rig and (light and sensors) as contemplated in the Action. *See also*, Application, p. 3, lines 28-34; p. 4, line 37 – p. 5, line 2; p. 8, lines 3-6. Reconsideration and withdrawal of the rejection of claim 13 are therefore respectfully requested.

II. Claim Rejections - 35 U.S.C. § 102: Bridges

Claims 1-7, 14, 16, 17, and 19-24 are rejected under 35 U.S.C § 102(b) as being anticipated by Bridges (US 3,835,332). *See* Action, § 6. Applicants respectfully traverse this rejection. Preliminarily, it is noted that claims 14, 16, 17 and 19-24 of the subject rejection are cancelled with this amendment.

Independent claim 1 is amended to incorporate much of the subject matter of claims 14 and 15. For example, claim 1 recites, in part, “a sheet of transparent material between the linear array of light sources and the laminar material” and “wherein the measurement rig is mounted and configured to be lifted relative to the laminar material to perform a calibration, and wherein in the calibration the processor processes signals corresponding to light reflected from the light sources by the sheet of transparent material to produce a calibration measure.”

First, Bridges at least fails to disclose or suggest "wherein the measurement rig is mounted and configured to be lifted relative to the laminar material to perform a calibration" as recited in claim 1. Rather, Bridges is silent with respect to such limitations, as further evidenced by a failure of the Action to identify such subject matter within Bridges. *See* Action, § 1. For at least this reason, claim 1 is allowable over Bridges. Second, Applicants note that the calibration technique disclosed by Bridges requires using a defect free piece of laminar material in a calibration run. This is in contrast to the apparatus of claim 1, in which a calibration is performed on the basis of light reflected from a sheet of transparent material carried between a linear array of light sources and a laminar material.

In view of the foregoing, reconsideration and allowance of claim 1, as well as claims 2-7 and 16 that depend therefrom, are respectfully requested.

III. Claim Rejections - § 103

Claims 8, 10, 18, and 25 are rejected under 35 U.S.C § 103(a) as being unpatentable over Bridges. *See* Action, § 8. Applicants respectfully traverse this rejection. Preliminarily, it is noted that claims 18 and 25 are cancelled with this amendment.

Claims 8 and 10 ultimately depend from independent claim 1. As discussed above, Bridges fails to disclose or suggest each limitation of claim 1. For example, Bridges at least fails to disclose or suggest "wherein the measurement rig is mounted and configured to be lifted relative to the laminar material to perform a calibration" as recited in claim 1. Reconsideration and allowance of claims 8 and 10 are therefore respectfully requested.

Claims 9 and 26 are rejected under 35 U.S.C § 103(a) as being unpatentable over Bridges in view of Cochran (US 5,365,084). *See* Action, § 9. Applicants respectfully traverse this rejection. Preliminarily, it is noted that claim 26 is cancelled with this amendment.

Claim 9 ultimately depends from independent claim 1. As discussed above, Bridges fails to disclose or suggest each and every limitation of claim 1. Cochran fails to provide the disclosure lacking in Bridges. For example, Cochran fails to disclose or suggest "wherein the measurement rig is mounted and configured to be lifted relative to the laminar material to perform a calibration" as recited in claim 1. Reconsideration and allowance of claim 9 are therefore respectfully requested.

Claim 11 is rejected under 35 U.S.C § 103(a) as being unpatentable over Bridges in view of Kedar (US 5,665,975). *See* Action, § 10. Applicants respectfully traverse this rejection.

Claim 11 ultimately depends from independent claim 1. As discussed above, Bridges fails to disclose or suggest each and every limitation of claim 1. Kedar fails to provide the disclosure lacking in Bridges. For example, Kedar also fails to disclose or suggest "wherein the measurement rig is mounted and configured to be lifted relative to the laminar material to perform a calibration" as recited in claim 1. Reconsideration and allowance of claim 11 are therefore respectfully requested.

Claim 12 is rejected under 35 U.S.C § 103(a) as being unpatentable over Bridges in view of Wohlrab (US 4,017,178). *See* Action at p. 14. Applicants respectfully traverse this rejection.

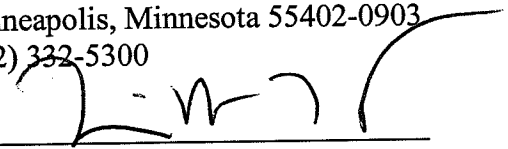
Claim 12 ultimately depends from independent claim 1. As discussed above, Bridges fails to disclose or suggest each and every limitation of claim 1. Wohlrab fails to provide the disclosure lacking in Bridges. For example, Wohlrab fails to disclose or suggest "wherein the measurement rig is mounted and configured to be lifted relative to the laminar material to perform a calibration" as recited in claim 1. Reconsideration and allowance of claim 12 are therefore respectfully requested.

VII. Conclusion

Favorable reconsideration is requested. Applicants do not otherwise concede the correctness of the Examiner's rejections and reserve the right to make additional arguments as may be necessary. Please contact the undersigned with any questions regarding this application.

Respectfully submitted,
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